

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIS ADVANCED SOFTWARE SYSTEMS,
LTD.,

Plaintiff,

v.

RED BEND SOFTWARE, INC., RED BEND
SOFTWARE, LTD., TIME WARNER INC.,
ICQ, INC., INSTALLSHIELD SOFTWARE
CORP.,
and
SCANSOFT, INC.

Defendants.

Civil Action No. 04cv11960 (RWZ)

CERTIFICATE OF ETHAN HORWITZ PURSUANT TO LOCAL RULE 83.5.3(b)

Ethan Horwitz, declares and states as follows:

1. I am a partner in the law firm of Goodwin Procter LLP, New York, New York. I have been a member in good standing of the Bar of the State of New York since 1977, and the United States Supreme Court since 1980. I am also a member in good standing of the Bars of the United States Courts of Appeals for the Federal, Second, and Third Circuits, and the United States District Courts for the Eastern District of New York and the Southern District of New York. I am a member of the Bar in good standing in every jurisdiction in which I have been admitted to practice.

2. There are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction.

3. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

I declare under the penalty of perjury that the following is true and correct. Executed on
January 10, 2005.

/s/ Ethan Horwitz

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